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104610-55275 (22009)

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JRW

## PATENT

### THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Patent Application of: :  
Martin Eberle, et al. : Art Unit : 1626  
Serial No. : 10/557,539 : Examiner : Laura L. Stockton  
Filed : November 21, 2005 :  
Title : Furazanobenzimidazoles :  
:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. 1.97-1.99, applicants respectfully request that the references listed on the completed form PTO-1449 be made of record in the above-identified application. A copy of the International Search Report dated September 20, 2004 and a copy of the European Search Report dated October 13, 2003 as well as the citations therein are enclosed. It is noted that WO 03/066629 is equivalent to US Publication No.: 2004/0034037. However, WO 03/066629 has an earlier International Publication date of August 14, 2003. We are enclosing the cover page of this International Publication No.: WO 03/066629. Copies of the U.S. Patent are not provided herewith.

Consideration of this Information Disclosure Statement is respectfully requested, since the information provided herein may be material to the patentability of the subject application as defined in 37 C.F.R. §1.56. The submission of references with this Information Disclosure Statement should not be construed by the Examiner that a comprehensive search through the prior art was conducted; it is requested that the Examiner make such a comprehensive search.

The above citations do not constitute an admission that the references are relevant or material to the claims; they are cited only as constituting the closest art of which applicant is aware. As such, it is respectfully submitted that the Claims presented for examination define patentable subject matter thereover. Favorable consideration on the merits is respectfully requested.

### Correspondence and Fees

The information disclosure statement is being submitted after the mailing date of the first Office Action on the merits. Consequently, please charge our deposit account in the amount of \$180.00 for this submission. However, should this be in

error, authorization is hereby given to charge our deposit account no. 03-3839 for any underpayment or to credit any overpayments.

Please address all correspondence to Intellectual Property Docket Administrator, Gibbons P.C., One Gateway Center, Newark, NJ 07102-5310. Telephone calls should be made to William H. Epstein at (973) 596-4607 and fax communications should be sent directly to him at (973) 639-6397.

Thank you for your consideration.



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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	1	Attorney Docket Number	104610-55275
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### ENCLOSURES (Check all that apply)

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<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2) Copy of European Search Report with Citations
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gibbons P.C.		
Signature			
Printed name	William H. Epstein		
Date	Sept 19, 2007	Reg. No.	20,008

### CERTIFICATE OF TRANSMISSION/MAILING

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